

Court of Appeals, State of Michigan

ORDER

People of MI v Elijah Little

Docket No. 280648

LC No. 06-008744-01

Richard A. Bandstra
Presiding Judge

Michael R. Smolenski

Jane M. Beckering
Judges

In lieu of granting the delayed application for leave to appeal, the Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is GRANTED, and the matter is REMANDED to the trial court for the sole purpose of holding an evidentiary hearing to determine when defendant received notice of the sentence enhancement and whether it was timely under MCL 769.13. If the notice is found to be timely, defendant's sentence is affirmed. If it is not, defendant shall be resentenced without enhancement. We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 22 2007

Date

Sandra Schultz Mengel
Chief Clerk